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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan M. Cannon

Printed name of person mailing correspondence

Susan M. Cannon

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wedeking et al.

Art Unit: 1616

Serial No.: 09/752,867

Examiner: D. L. Jones

Filed: December 30, 2002

Customer No.: 21559

Title: METAL COMPLEXES DERIVATIZED WITH FOLATE FOR USE
IN DIAGNOSTIC AND THERAPEUTIC APPLICATIONS

Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b)

Pursuant to 37 C.F.R. § 1.321(b), Bracco Research USA, Inc., the assignee of the entire right, title, and interest in the above-captioned application, seeks to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Pursuant to 37 C.F.R. § 1.321(b)(1), this terminal disclaimer is signed by an attorney of record.

Pursuant to 37 C.F.R. § 1.321(b)(2), Bracco Research USA, Inc., hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the application subsequent to the expiration date of U.S. Patent No. 6,221,334 and U.S.

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Patent No. 6,093,382. Bracco Research USA, Inc., does not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 6,221,334 and U.S. Patent No. 6,093,382 in the event that the foregoing U.S. Patents: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, have all claims canceled by a reexamination certificate, or are otherwise terminated prior to expiration of their full statutory term, except for the separation of legal title as stated above.

Pursuant to 37 C.F.R. § 1.321(b)(3) and § 3.73(b), the undersigned attorney/agent of record certifies that Bracco Research USA, Inc., a corporation, is the assignee of the entire right, title, and interest in the application by virtue of:

An assignment from the inventors of the application. The assignment was Recorded in the Patent and Trademark Office at Reel 9179, Frame 0766 on May 16, 1998.

The undersigned attorney/agent of record has reviewed all the documents in the chain of title of the application and to the best of the undersigned's knowledge and belief, title is in Bracco Research USA, Inc.

Pursuant to 37 C.F.R. § 1.321(b)(4), enclosed is a check for \$110.00 for the fee set forth in 37 C.F.R. § 1.20(d).

Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the

application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

If there are any additional charges or any credits, please apply them to Deposit Account Number 03-2095.

Respectfully submitted,

Date: Jan. 6, 2003



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